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PATTERSON TRIAL IS SERIOUSLY DELAYED BY WITNESSES

Reversal of Attitude of One Person Called to the Stand and the Absence of Two Others is Embarrassing.

NORAH BROWN CAN NOT BE FOUND

Some of Details of Killing Are Brought to Light in Story of Dr. Mudd and Others.

(By Evening Herald A. P. Leased Wire) THE STATE HISTORICAL SOCIETY, Denver, Colo., Nov. 23.—The state historical society today started the Patterson murder trial and attorney Milton, who said he expected to place Mrs. Patterson on the stand when he had concluded his remarks, outlined the contents of the defense to the jury.

Denver, Colorado, Nov. 23.—A decided reversal of attitude on the part of one witness and the absence of two others seriously hampered the prosecution today in the Patterson murder case.

Louise Schramm, a gardener employed at the Hendrie home, before which the shooting occurred, and by whom the state expected to show a conversation between Mrs. Patterson and her husband just before the shots were fired, is in Chicago, out of the jurisdiction of the court. It was announced, and Norah Brown, a maid in the Hendrie home at the time of the shooting, and who the state expected would tell of Mrs. Patterson's statements after she had shot Patterson, has not yet been found by the sheriff's deputies. The absence of these two witnesses, it was apparent, seriously embarrassed the plans of Special Prosecutor Benson, who asked for a recess when these witnesses failed to respond to their names shortly before the usual time for the noon recess.

Dr. W. G. Mudd, called today as a state witness in the trial of Gertrude Gibson Patterson for the alleged murder of her husband, Chas. A. Patterson, proved to have testimony of value to the defense. Attorney Benson of the prosecution declared that the physician's testimony came as a surprise to him.

Dr. Mudd rode in the ambulance with Mrs. Patterson when she was taken to the jail after the shooting. He bore out the claim of the defendant that there was a bluish looking spot on Mrs. Patterson's cheek, which the prisoner indicated to him in the course of their ride to the lockup as the spot where her husband had struck her. Witness testified further as to the conversation between himself and Mrs. Patterson that the latter at first told him she did not know who had fired the shot which killed her husband, but later she said that, after her husband had knocked her down, he handed her the pistol, saying, "Now damn you kill yourself."

Women vied with men in fighting to gain entrance to the court room before the seats were filled, the stampede being attended by much pulling and jostling about, and the striking of so many blows that the bailiffs had to use strenuous measures to prevent a free for all fight.

Dr. Stephen D. Parsons was placed on the stand as the next witness. His testimony concerned itself with a newspaper clipping which he said he found near Patterson's body after the shooting, and which he stated he turned over to Police Sergeant McIntyre. The latter, who followed Dr. Parsons in the witness chair, confirmed the doctor's statement, but he was turned over to the defense for cross-examination without the clipping being read to the jury. The item is said to relate to the allegation suit, which it is said Patterson purposed filing against a Chicago millionaire. The police sergeant testified that when he first asked Mrs. Patterson who did the shooting she declared that Patterson did it himself. Later he asked her how many shots she fired, she replied that she did not know.

WIFE BEATERS GET THE WHIPPING POST

Washington, Nov. 23.—The whipping post for wife beating is to be re-established in Montgomery county, Maryland, which adj. to the District of Columbia. Judge Redding of Rockville, who intimated strongly that he intended to revive the ancient law, stated positively today that the first man convicted on the charge, before him will be given forty lashes.

"More imprisonment is not a sufficient punishment for such a brutal crime as wife beating, and (further offenders will get no mercy at my hands in the future," said Judge Redding today.

The first offenders for the "judicial flogging" are Franklin Matthews, who in the Rockville jail and will be tried next Wednesday for beating his wife.

WILL BEATTIE DIE WITH LIPS SEALED OR WILL HE TELL OF GUILT?

Young Man Accused and Convicted of Murdering His Wife Arises on the Last Legal Day of His Life.

DRESSES WITH SAME EXTREME NEATNESS

(By Evening Herald A. P. Leased Wire) Richmond, Va., Nov. 23.—A report that Beulah Buford, the seventeen year old girl for whom Henry Clay Beattie, Jr., is alleged to have killed his wife, had arrived here today, caused a distinct sensation. The police at once denied the story but made a close search for the girl and their vigilance did not relax until word came from New York that the girl was still there and would make no attempt to come to Richmond.

Beattie awoke at the usual time this morning on what, by law, was the last day of his life. Tomorrow shortly after daybreak he will, in the electric chair, expiate the murder of his young wife. There were no signs of a breakdown this morning, the prisoner dressing with the same fastidious care that he has taken ever since he entered the state penitentiary and the death cell.

Mrs. John J. Pix put in an appearance early, and probably will remain with Beattie during the day. The elder Beattie, Douglas Beattie, brother of the convicted man, and the attorneys who defended him in the trial joined him later. Beattie will not confess, it is thought, by many.

Beattie's spiritual advisors are of another opinion. They entertain the hope amounting almost to conviction, that he will do so.

"If he is guilty, I feel reasonably certain he will acknowledge it," said Rev. Dr. Pix. "To go to his death with a lie on his lips would be sacrilege and Beattie is at peace with his maker."

It is a question whether the condemned man does not consider that he owes it to his father, to whom he has brought so much pain and so much disgrace, to go to his death with sealed lips.

ROCK ISLAND MEN WILL ARBITRATE

Conference Between Officials and Shop Employees Has Been Arranged for Tomorrow to End Dispute.

(By Evening Herald A. P. Leased Wire) Chicago, Nov. 23.—The international officers of the railroad shopmen will meet leading officials of the Chicago, Rock Island & Pacific railroad tomorrow, at which time it is expected the question of a possible strike will be settled finally.

Tomorrow's meeting was arranged at a short conference between representatives of the shopmen and General Manager W. K. Tinsman and W. A. Nettleton, general superintendent of motive power.

Although railroad officials and the shopmen's representatives refused to discuss the situation, indications pointed to the possibility of an agreement tomorrow.

MEXICO REVOLTS ARE DEPORTED

Those Who Entered the United States to Support the Reyes Rebellion Are Being Sent Back Home.

(By Evening Herald A. P. Leased Wire) Laredo, Texas, Nov. 23.—Alleged political refugees from Mexico are on trial here today before the inspector in charge of the United States immigration service. One deportation has been ordered. It is charged the men are undesirable citizens because they are supporters of the so-called Reyes revolt against the Mexican government.

JOSE PINO SUAREZ IS VICE PRESIDENT

Mexico City, Nov. 23.—Jose Pino Suarez was today invested with the office of vice president of the republic by the chamber of deputies. Afterward he was received by President Madero, the cabinet and other officials.

SUFFRAGISTS ARE SENCESED FOR TERM IN JAIL BY COURT

Ladies Stand in Prisoners' Dock and Coolly Hear Sentence Pronounced on Them; Decline to Pay Fines.

KATHLEEN ROBWEILL IS HELD TO SESSIONS

She Declined to Obey Magistrate and Defiantly Made a Speech in Which She Discussed the Social Evil.

(By Evening Herald A. P. Leased Wire) London, Nov. 23.—Mrs. Petrick Lawrence, the head and front of Tuesday's suffragette riots, today was the central figure of the trial of those arrested during the demonstration. Standing unconcernedly in the prisoners' enclosure at Bow street police court, she listened to the evidence in support of the charge of assaulting the police and obstructing them in the performance of their duty. When the magistrate sentenced her to a month's imprisonment she did not flinch.

According to the evidence, Mrs. Lawrence, at the head of thirty women, stormed the police time and again. She struck a policeman in the face twice and struggled for fifteen minutes when she was arrested and taken away.

Mrs. Lawrence made a statement in court with reference to the poster produced yesterday, calling on women to assemble and "see full play and protect women from being brutally victimized by the police in uniform and plain clothes, as they were on Black Friday, 1910, when as the result of ill usage one woman died and many were seriously injured."

She said, "I am glad to state that, as far as the police in my vicinity are concerned, there was no repetition on Tuesday of the brutal usage of women. I am inclined to think that what happened on the former occasion was done on the instructions of the government."

The others of the accused almost without exception took their sentences with indifference, choosing jail in preference to the payment of fines.

Mrs. Kathleen Robweill managed to give a brief speech in spite of the protests of the magistrate. She had broken a big plate glass window on the strand.

"It is out of my great love for humanity and particularly my devotion to women and children that I did this," said she. "These disgusting acts are the root of all social evils and I am prepared to do anything the militant branch of the suffragettes dictate in order to gain the vote for women."

Mrs. Robweill was committed for trial at the sessions. She refused the offer of bail in the interval, saying she preferred to remain in jail until the trial.

TAR PARTY CASE IS UP TO JURY

Twelve Good Men and True, Can Find One or All of Parties Guilty or Innocent Under Instructions.

(By Evening Herald A. P. Leased Wire) Washington, D. C., Nov. 23.—Chief Justice White today refused to grant a stay in the trial of the Chicago beef packers, but referred the attorney making the application to the entire bench with the statement that the matter was of too much importance for him to pass on individually. Attorney Miller announced that such an application to the entire court would be made at the first sitting Dec. 4.

Attorneys for the packers indicated that efforts will be made to have Judge Carpenter of the United States district court at Chicago, before whom the indicted packers have been summoned for trial on Monday, to grant a further postponement until the supreme court passes on the application for a stay.

WOLGAST TO TAKE WELLS NEXT

Tom Jones, His Manager, Declares That He Has Arranged for a Match With the Englishman Next Month.

(By Evening Herald A. P. Leased Wire) Los Angeles, Calif., Nov. 23.—Tom Jones, manager for Ad Wolgast, the light weight champion, said today he had accepted a proposition for a fight between Wolgast and Matt Wells, the English fighter, for December 16 or 23.

The conditions are 153 pounds at 3 o'clock," said Jones. "Wolgast is offered a jump sum for his end."

Jones, however, declined to say how much the "jump sum" was.

CHINESE REBELS CAPTURE FORTS ON HILL OF CHUAN SHAN

Dispatch to the Free Press Says That One of Outer Posts Has Been Taken in Advance of Nanking.

U. S. INFANTRY IS PREPARING TO MOVE

(By Evening Herald A. P. Leased Wire) San Francisco, Calif., Nov. 23.—The revolutionary troops captured one of the forts on Chuan Shan hill near Nanking yesterday after several hours' desperate fighting, according to a cable received today from Shanghai by the Chinese free press. The forts are the outposts situated a few miles from Nanking.

The dispatch says that the revolutionary military committee has announced that the massacres in Shensi were committed by mobs composed mostly of Manchus and not by the revolutionary soldiers.

Dr. Wu Ting Fang and others are working on a proclamation which will be issued shortly, asking all nations to recognize the republic, according to a Shanghai dispatch received today by the Chinese daily press.

OFFICERS AT MANILA PREPARE FOR HIKE

Manila, Nov. 23.—The American army officers stationed in the vicinity of Manila today had the physical test which has been ordered by the military authorities. This is to prepare them for a possible call for volunteers for service in China, for which purpose it is intended to raise the 15th infantry, arriving here on December 1, to war strength.

Divisional headquarters are very busy. The hospital corps and the engineering corps are being fitted out with winter equipment. No information is given out officially but it is admitted that the fifteenth regiment is to be reinforced as a precautionary measure and that the troops will be ready to start for China two days after their arrival here.

JUSTICE WHITE IS NOT WILLING TO SHOULDER FULL AUTHORITY

He Informs Attorneys for Indicted Packers That Case Must Come Before Entire U. S. Supreme Court.

ANOTHER MOVE FOR DELAY IS EVOLVED

(Special Telegram to Evening Herald) Washington, D. C., Nov. 23.—Chief Justice White today refused to grant a stay in the trial of the Chicago beef packers, but referred the attorney making the application to the entire bench with the statement that the matter was of too much importance for him to pass on individually. Attorney Miller announced that such an application to the entire court would be made at the first sitting Dec. 4.

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A SANTA FE SHACK SAVES A TRAIN

F. H. Kelly, a Freight Brake-man Was Stunned by Fall from Box Car But Awoke a Real Hero.

(By Evening Herald A. P. Leased Wire) San Bernardino, Cal., Nov. 23.—Although stunned by striking his head when he was thrown off the roof of the caboose of his train, F. H. Kelly, a freight brakeman, retained consciousness long enough to save from collision a crowded tourist train on the Santa Fe mountain division.

Kelly's train was due to stop a short distance beyond where he fell. Remembering that the last passenger train was but a short distance behind, the brakeman set a torpedo and signal flag. When the passenger train had halted, Kelly was found unconscious beside the tracks.

TWO JURORS NEEDED TO FILL THE BOX BEFORE USE OF PEREMPTORY

One Man Is Still Absent Because of Critical Illness of His Wife and Another Has Just Returned to Duty.

ATTORNEY CONFERS WITH McNAMARA

It Is Agreed That All Five Men Who Were Challenged for Cause Will Be Excused from Case by the Defense.

(By Evening Herald A. P. Leased Wire) Los Angeles, Calif., Nov. 23.—With one juror absent because of critical illness in his family and another back from visiting his sick wife, the McNamara murder trial dragged along today in an attempt to get two more men needed to fill the jury box before the exercise for the third time of the peremptory.

The attorney for McNamara conferred with his client as to the men who should be peremptorily challenged, and it was reported that all five statements accepted as to cause would be let go by the defense.

P. B. Runaway, a retired wholesale grocer, was excused today at the suggestion of Judge Walter Hordwell, without formality of challenge. Runaway had gone through a bankers' strike and admitted a prejudice against unions which led him to believe James B. McNamara instigated the Times explosion.

WITNESSES THREATENED WITH SUDDEN DEATH

New Orleans, La., Nov. 23.—Witnesses for the prosecution in the Los Angeles Times dynamiting case have been threatened with death after having withstood repeated efforts of agents of the defense to bribe them, declared William J. Burns, the detective, in an address today before the state secretaries' section of the American Bankers' association.

Mr. Burns arraigned Samuel Gompers, president of the American Federation of Labor, Eugene V. Debs and other "would-be leaders" of organized labor, but declared that nineteenth century labor is opposed to violence and not in sympathy with efforts of the small socialist element to destroy organized society and lessen respect for the laws of the country.

DARROW DECLARES IT IS ALL UTTER LORE

Los Angeles, Cal., Nov. 23.—"What Burns is reported to have said is in keeping with what he has said previously," said Clarence S. Darrow, chief counsel for James B. McNamara, referring to the address of Detective William J. Burns today in New Orleans. "There is not a word of truth in it."

AMERICAN FEDERATION WILL NOT AID McNAMARAS

Atlanta, Ga., Nov. 23.—The American Federation of Labor will make no direct appropriation for the defense of the McNamaras.

The opportunity to do so passed today when the convention adopted the recommendation of a committee that labor organizations throughout the country be appealed to for more funds. The report made no mention of a direct appropriation, and it was put through before those who favored the proposed \$50,000 donation had an opportunity to suggest an amendment.

CLOAK AND SUIT WORKERS STRIKE

About 50,000 Women and Girls in Germany Demand More Pay for Work Which They Take to Their Homes.

(By Evening Herald A. P. Leased Wire) Berlin, Nov. 23.—A general strike of the Berlin cloak and suit workers in the children's clothing making trade occurred today, the strikers demanding from ten to fifteen per cent increase in wages.

PROTECT ELECTRIC POWER

(By Evening Herald A. P. Leased Wire) Washington, D. C., Nov. 23.—Water L. Fisher, secretary of the interior, stated before the National Waterways commission that the government should take no steps to prevent municipalities in the development of electricity from water power. Instead, he said, federal regulations should be made strong enough to protect the public interest. Investors should be assured a large enough return to attract capital into the development of water power, said Secretary Fisher.

TRAIN PLUNGES TO DESTRUCTION AND DEATH IN FLOOD IN FRANCE

It Is Estimated That Sixty Passengers Were Killed and Drowned and Others Injured in Wreck.

BRIDGE COLLAPSED INTO RAGING RIVER

(By Evening Herald A. P. Leased Wire) Samur, France, Nov. 23.—Sixty passengers, it is estimated, lost their lives through the plunging of a train into the river Thouet this morning, owing to the break-down of a bridge on the state railway at Montreuil-Bellay, in the department of the Maine-et-Loire.

The train, which had started from Angers, was traveling to Poitiers. It contained about 100 passengers. While it was crossing the bridge over the Thouet the structure, weakened by recent floods, broke, crashing with the cars into the swollen stream.

Many of the passengers who got out of the cars through the windows tried to save themselves by clinging to the tops of trees which stood above the water. In most cases, however, they were quickly washed away. All the boats in the locality had been carried off by the inundations so that it was impossible for the people of the neighborhood to assist much in the work of rescue.

No exact information is yet available as to the number of victims or as to those rescued.

ALL PRINZ JOACHIM PASSENGERS SAFE

They Were Removed Without Mishap to the Steamer Segurana and Will Be Taken to Nassau, Says Wireless.

(By Evening Herald A. P. Leased Wire) New York, Nov. 23.—All the passengers of the steamship Prinz Joachim, ashore on Atwood Key, a remote island of the Bahamas, have been taken aboard the Ward line steamer Segurana and are now on their way to Nassau. This news reached the Ward line offices here today in a wireless message from the Segurana, which had apparently been relayed by the steamer Vigilantia, now at Nassau. The message read:

"Segurana has all passengers from the Joachim. Being to Nassau. Will arrive. Will keep you informed."

Apparently the time when the passengers are expected to reach Nassau had been lost from the message, but at the Ward line office it was said that the Segurana probably would reach Nassau between 2 and 3 o'clock this afternoon.

WARD LINE STEAMER IS REPORTED SAFE

Nassau, Nov. 23.—The Ward line Segurana, bringing the 34 passengers and mail of the stranded Prinz Joachim, has been sighted.

LABOR LEADERS TO BE TRIED AGAIN

Gompers, Mitchell and Morrison Must Stand Hearing for Contempt Before Supreme Court Once More.

(By Evening Herald A. P. Leased Wire) Washington, D. C., Nov. 23.—Samuel Gompers, John Mitchell and Frank Morrison, the labor leaders, must again stand trial in the supreme court of the District of Columbia on charges of contempt arising out of the Hack Store and Range case. Justice Wright today handed down a decision overruling the motion of the labor leaders for a dismissal of the proceedings under the statute of limitations. The court held that contempt of court is not classed as a criminal and consequently not subject to the bar of the statute of limitations.

SHERIFF TO SUE FOR FEES

(By Evening Herald A. P. Leased Wire) Topeka, Kan., Nov. 23.—C. E. Bramlette, sheriff of Cherokee county, will bring a suit in the supreme court today to compel the payment of fees he has earned by W. S. Wickensham, clerk of the district court of that county. The Kansas supreme court held that Bramlette was entitled to the fees, but it could not make an order for the payment unless a separate suit were brought.

NEW CARDINALS OF UNITED STATES GIVEN A WARM GREETING

They Arrive in Rome Where They Are Shown Every Courtesy by Clergy and by the Populace at Station.

POPE WILL GIVE THEM THE RED HATS

Consistory Will Be Held Next Monday and a Public One Will Follow on Thursday With Much Splendor.

(By Evening Herald A. P. Leased Wire)

Rome, Nov. 23.—Cardinals-designate John M. Farley and Diomedes Falconio arrived here today. Many ecclesiastics had assembled at the station before dawn, but the train containing the two American archbishops was late. Both the prelates looked well, notwithstanding the fatigue of their long journey. Those present knelt and kissed the rings of the new cardinals-designate, while many travelers and other persons about the station joined in emphasizing the cordiality of the reception. A characteristic note was given to the occasion by some of the clerical suite carrying rolled American flags bound with white and yellow ribbons, the papal colors.

The warmest congratulations and respectful greetings were then presented to the two cardinals-designate by Thomas Kennedy, rector of the American college in Rome, Mr. Dennis O'Connell, auxiliary bishop of San Francisco, Dr. Bernard J. Mahoney of Albany, spiritual director of the American college, Father Dulan, rector of the English speaking church of San Silvestre here, Father Hilary Jordan of St. Paul, and other American clergymen.

The superior procurator general of the Franciscan monks took Cardinal-designate Falconio to the monastery of St. Anthony, while Cardinal-designate Farley, accompanied by Mr. Thomas Kennedy and Mr. Dennis O'Connell, with Dr. Bernard Mahoney, drove to the Hotel Bristol, followed by the suite.

During the usual papal audience Cardinal Merry del Val communicated to the pope the arrivals of the two cardinals-designate and informed him of the cordial reception that had been accorded to them. The pope was pleased and said he was looking forward to receiving them soon.

The secret consistory will be held next Monday, and the public consistory will follow on Thursday.

At the secret consistory only the pope and the cardinals resident in Rome are present. At the public consistory three days later the ceremony is much more imposing, the new cardinals receiving their red hats from the pope.

LA FOLLETTE BOOM IN CALIFORNIA BEGINS SOON

Campaign for Wisconsin Radical Will Start on Saturday of This Week When His Admirers Assemble.

(By Evening Herald A. P. Leased Wire) San Francisco, Cal., Nov. 23.—The California campaign nomination of Robert M. La Follette for president will be launched here Saturday afternoon when 250 supporters of the Wisconsin senator will meet for a formal conference. The call sent out by Secretary Patrick of the Republican State Central committee has been signed by Governor Johnson, Lieutenant Governor Wallace, Representative Kent and others.

TO MARK TWIN'S BIRTHPLACE

(By Evening Herald A. P. Leased Wire) Hannibal, Mo., Nov. 23.—The Mark Twain committee, recently appointed by the state, will visit the birthplace of the humorist at Florida, Mo., tomorrow. Preliminary plans will be made for a marker.

HUNTERS MUST PAY FOR DOGS ON TRAINS

Chicago, Nov. 23.—Hunters and other owners of valuable dogs are around over a new rule which has gone into effect on all western railroads regarding the hauling of canines. The ruling requires that dogs under 125 lb. value be shipped as express baggage and muzzled, while bench and field dogs must ride in express cars. A charge of twenty-five cents is made for each dog.

The owners admit they don't like it, but the damage men object to it because it cuts them off from a tidy sum in tips.